

Message Text

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ORIGIN EUR-12

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FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

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E.O. 11652' N/A

TAGS: BGEN, CVIS, UR, US

SUBJECT: MULTIPLE ENTRY/EXIT VISAS FOR U.S. RESIDENT
BUSINESSMEN

REF: (A) MOSCOW 12761 (B) MOSCOW 11570 (C) STATE 4656
(D) STATE 053476 (3/22/73) (E) MOSCOW 3029 (3/20/73)

1. STATE AND COMMERCE HAVE REVIEWED EMBASSY POSITION
(REFTELS A AND B) RE SOVIET DENIAL OF MULTIPLE ENTRY/EXIT
VISAS TO HEADS OF U.S. ACCREDITED OFFICES IN MOSCOW WHO
ARE NOT AMERICAN CITIZENS. DEPARTMENTS CONSIDERING
APPROPRIATENESS OF RAISING MATTER VIA DOWNEY-MANZHULO
LETTER CONCERNING GENERAL BUSINESS FACILITATION. BEFORE
APPROACHING SOVIETS, HOWEVER, WE BELIEVE IT DESIRABLE TO
AIR RESERVATIONS ABOUT SOME POINTS EMBASSY HAS CITED AS
SUPPORTIVE OF POSITION.

2. OUR INITIAL ASSESSMENT IS THAT OCTOBER 1972 EXCHANGE OF
PETERSON-PATOLICHEV LETTERS IS NOT SUFFICIENTLY SPECIFIC TO
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GIVE STRONG SUPPORT POSITION IN REFS A AND B AS LETTERS

ONLY STATE QUOTE THE QUESTION OF GRANTING A MULTIPLE
ENTRY AND EXIT

VISA SHALL BE EXAMINED VERY CAREFULLY UNQUOTE. ANOTHER
AMBIGUITY LIES IN THE FACT THAT REF E STATES, WHILE
ORIGINAL EMBASSY NOTE REQUESTED MFA ISSUE MULTIPLE
ENTRY/EXIT VISAS FOR AMERICAN RPT AMERICAN BUSINESSMEN
ACCREDITED IN USSR, SOVIET RESPONSE MENTIONS ONLY
QUOTE HEADS OF OFFICES OF AMERICAN COMMERCIAL-ECONOMIC
FIRMS UNQUOTE AS DOES USG REPLY (REF D) TO SOVIET NOTE.
DEPARTMENTS WOULD APPRECIATE EMBASSY TRANSMITTING COPIES
OF NOTES EXCHANGED (UNABLE TO LOCATE FINAL TEXTS IN
DEPARTMENTS) WHICH WILL ASSIST IN FORMULATING DEFINITIVE
POSITION. DEPARTMENTS' SENSE OF AMBIGUITY COMPOUNDED
BY FACT U.S. AND USSR IN LONG-TERM AGREEMENT AGREED TO
FACILITATE ISSUANCE OF MULTIPLE ENTRY/EXIT VISAS TO
QUALIFIED RPT QUALIFIED OFFICIALS AND REPRESENTATIVES OF
OTHER COUNTRY'S ORGANIZATIONS AND FIRMS.

3. FINALLY, UNDER CURRENT U.S. IMMIGRATION LAW, VALIDITY
OF NONIMMIGRANT VISAS, BOTH AS TO PERIOD OF VALIDITY AND
NUMBER OF ENTRIES, MUST BE BASED UPON TREATMENT ACCORDED
BY GOVERNMENT OF APPLICANT'S COUNTRY TO AMCITS TRAVELLING
TO THAT COUNTRY FOR SAME PURPOSE. IN CASE OF APPLICANT
WHO IS EMPLOYEE OF FIRM NATIONALITY OF FIRM IS
IRRELEVANT TO HIS APPLICATION. OUR CONCERN HERE IS THAT
SOVIETS WILL ASK WHY WE ARE ASKING THEM TO ADHERE TO A
POLICY TO WHICH THE U.S. DOES NOT.

4. ON PLUS SIDE WE NOTE, HOWEVER, THAT FINAL ACT OF
CSCE MAY PROVIDE USEFUL SUPPORT FOR EMBASSY PROPOSAL
SINCE SECTION ON TRAVEL FOR PERSONAL AND PROFESSIONAL
REASONS SPECIFIES THAT PARTICIPATING STATES ARE COMMITTED
TO FACILITATE PROFESSIONAL TRAVEL OF THEIR CITIZENS BY
SIMPLIFYING AND FLEXIBLY ADMINISTERING PROCEDURES FOR
EXIT AND ENTRY. NEGOTIATING HISTORY OF THIS CLAUSE
INDICATES THAT "THEIR CITIZENS" IS INTENDED TO MEAN
CITIZENS OF ALL PARTICIPATING STATES.

5. BEFORE RAISING THIS QUESTION, DEPARTMENTS WELCOME
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FURTHER EMBASSY COMMENTS. ACTUAL TEXTS OF NOTES EXCHANGED
AND EMBASSY BACKGROUND ON USE OF TERM "HEADS OF OFFICES"
DURING NEGOTIATIONS WOULD BE MOST HELPFUL IN MAKING
FORCEFUL, WELL-ARGUED PRESENTATION. KISSINGER

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